

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

VIAMEDIA, INC.,

Plaintiff,

v.

COMCAST CORPORATION and  
COMCAST SPOTLIGHT, LP,

Defendants.

No. 16 C 5486

Honorable Amy J. St. Eve

**JOINT MOTION TO EXTEND THE CASE MANAGEMENT SCHEDULE**

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, Plaintiff Viamedia, Inc. (“Viamedia”) and Defendants Comcast Corporation and Comcast Cable Communications Management, LLC (successor to Comcast Spotlight, LP and together with Comcast Corporation, “Comcast”) jointly move to extend the case management schedule. In support of this Motion, the parties state as follows:

1. On November 14, 2016, this Court entered an order setting a case management schedule in this case. (Dkt. No. 38.) Under that order, fact discovery was to be completed by May 26, 2017 and expert discovery was to be completed by August 25, 2017. (*Id.*)

2. In a good faith effort to comply with the discovery deadlines, the parties have engaged in discovery since the Court’s ruling denying Comcast’s motion to dismiss the original complaint on November 4, 2016. (Dkt. No. 35.) The parties have worked in good faith to meet and confer on discovery issues pursuant to Local Rule 37.2 and this Court’s Standing Order, but this process has taken more time than originally anticipated. As of the filing of this motion, the parties have met and conferred approximately nine times, however, substantial party and third-

party document discovery is outstanding, neither side has deposed individual witnesses, and significant discovery disputes remain under discussion and have ripened into motions to compel.

3. The parties are not filing this motion for the purpose of delay.

4. Federal Rule of Civil Procedure 6(b)(1) governs motions for extension of time. The Court may grant an extension for any deadline upon a showing of good cause. Fed. R. Civ. P. 6(b)(1)(A). Despite the parties' reasonable and diligent efforts to date, they require an extension of the case management schedule and the circumstances present here constitute good cause.

5. Since the last status hearing on March 27, 2017, the parties have met and conferred about a revised schedule that will permit sufficient time to complete discovery while moving the matter forward expeditiously. Accordingly, the parties jointly propose the following amended case management schedule:

<b>Pretrial Phase</b>	<b>Description</b>	<b>Current Discovery Deadline</b>	<b>Parties' Proposed New Discovery Deadline</b>
Fact Discovery	Completion of Fact Discovery	May 26, 2017	<b>September 26, 2017</b>
Expert Discovery	Disclosure of Expert Opinion Testimony, including Expert Reports and Supporting Materials	June 16, 2017	<b>October 16, 2017</b>
	Disclosure of Rebuttal Expert Opinion Testimony, if any, including Expert Reports and Supporting Materials	July 28, 2017	<b>November 30, 2017</b>
	Completion of Expert Discovery	August 25, 2017	<b>December 29, 2017</b>
	<i>Daubert</i> motions	September 22, 2017	<b>January 17, 2018</b>
Dispositive Motions	Dispositive motions, with supporting memorandum	September 29, 2017	<b>February 16, 2018</b>

WHEREFORE, Viamedia and Comcast respectfully request the Court enter an order extending the existing case management schedule as set forth above.

Dated: April 20, 2017

Respectfully submitted,

VIAMEDIA, INC.

COMCAST CORPORATION AND  
COMCAST CABLE COMMUNICATIONS  
MANAGEMENT, LLC

/s/ Richard J. Prendergast

Richard J. Prendergast  
Michael T. Layden  
RICHARD J. PRENDERGAST, LTD.  
111 W. Washington, Suite 1100  
Chicago, IL 60602  
Tel: (312) 641-0881  
rprendergast@rjpltd.com  
mlayden@rjpltd.com

/s/ Ross Bricker

Ross B. Bricker  
Sally K. Sears Coder  
JENNER & BLOCK LLP  
353 N. Clark Street  
Chicago, IL 60654-3456  
Tel: (312) 222-9350  
Fax: (312) 527-0484  
rbricker@jenner.com  
ssearscoder@jenner.com

Mark C. Hansen (pro hac vice)  
James M. Webster, III (pro hac vice)  
Aaron M. Panner (pro hac vice)  
Derek T. Ho (pro hac vice)  
Kenneth M. Fetterman (pro hac vice)  
KELLOGG, HANSEN, TODD, FIGEL &  
FREDERICK, PLLC  
1615 M Street, NW, Suite 400  
Washington, DC 20036  
Tel: (202) 326-7900  
mhansen@kellogghansen.com  
kfetterman@kellogghansen.com

Arthur J. Burke (pro hac vice)  
David B. Toscano (pro hac vice)  
DAVIS POLK & WARDWELL LLP  
450 Lexington Avenue  
New York, New York 10017  
Tel: (212) 450-4000  
Fax: (212) 701-5800  
Arthur.Burke@davispolk.com  
David.Toscano@davispolk.com

*Attorneys for Plaintiffs Viamedia, Inc.*

*Attorneys for Defendants Comcast  
Corporation and Comcast Cable  
Communications Management, LLC*